

TUESDAY, MAY 21, 1889.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll was called, and the following Senators answered to their names:

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th, Brett, Bryant, Coulter, Crosby, Hardee, Hendry, Hind, Jenkins, Kirk, King, Pirrong, Randell, Rogers, Rosborough, Smith, Swearingen, Tuten and Yancey—21.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved,

REPORTS OF COMMITTEES.

Mr. Swearingen, Chairman of the Committee on Temperance, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Temperance, to whom was referred—

Senate Bill No. 211:

A bill to be entitled an act to amend chapter 3700 of the laws of Florida, Acts of 1887, entitled an act to provide for the proper enforcement of the provisions of Article XIX, of the Constitution of 1885,

Respectfully report that they have considered the same and recommend the following amendment to be added to section three (3): "And the holding by any person or persons of a license or permit from the United States Government to sell spirituous, vinous or malt liquors shall be *prima facie* evidence that said person or persons are engaged in the traffic of such liquors."

Your committee recommend that said bill with the amendments do pass.

Very respectfully,

THOS. F. SWEARINGEN,
Chairman Committee.

Which was read and the committee amendments were adopted

Mr. Crosby, Chairman of the Committee on Canals, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 20, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Canals, to whom was referred—

Senate Memorial No. 224:

A memorial of the Legislature of Florida to the Congress of the United States in reference to a ship canal and improvement of the harbors and entrance ways thereto from the Atlantic Ocean to the Gulf of Mexico, in the behalf of an interstate and international commerce;

Have had the same under consideration and recommend that it do pass.

Very respectfully,

A. CROSBY,
Chairman Committee.

On motion of Mr. Smith the rules were waived by a two-thirds vote, and

Senate Bill No. 196:

An act to change the location of the University of Florida, Was read the second time.

On motion of Mr. Smith the rules were further waived by a two-thirds vote, and Senate Bill No. 196 was read the third time.

Mr. Houstoun moved that the further consideration of Senate Bill No. 196 be indefinitely postponed;

Which was agreed to,

And Senate Bill No. 196 was indefinitely postponed.

On motion of Mr. Tuten the rules were waived by a two-thirds vote, and

Senate Bill No. 195:

To be entitled an act to prescribe a method for securing the costs in certain suits and actions in this State, Was read the second time by its title.

On motion of Mr. Tuten the rules were further waived by a two-thirds vote,

And Senate Bill No. 195 was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 195,

The vote was:

Yeas—Mr. President, Messrs. Bailey of 16th District, Bryant, Dismukes, Hardee, King and Tuten—7.

Nays—Messrs. Brett, Coulter, Hind, Houstoun, Jenkins, Kirk, Pirrong, Randell, Swearingen and Yancey—10.

So Senate Bill No. 195 was lost.

At his request Mr. Rogers was excused from voting on the passage of Senate Bill No. 196.

On motion of Mr. Coulter the rules were waived by a two-thirds vote, and—

House Bill No. 149 :

A bill to be entitled an act to further define the duties of the Comptroller and the Clerks of the Circuit Court in this State,

Was called from the calendar out of its regular order and was read the second time.

On motion of Mr. Coulter the rules were further waived by a two-thirds vote and House Bill No. 149 was read the third time and put upon its passage.

Upon the passage of House Bill No. 149,

The vote was :

Yeas—Mr. President, Messrs. Bailey 22d, Bailey 16th, Brett, Bryant, Coulter, Houstoun, Kirk, Pirrong, Rogers, Swearingen and Yancey—12.

Nays—Messrs. Dismukes, Hardee, Hind, Jenkins and King—5.

So House Bill No. 149 passed, title as stated.

The following telegram to President Wall was read :

JACKSONVILLE, Fla., May 20, 1889.

To Hon. J. B. Wall, President of the Senate :

The Society for the Prevention of Cruelty to Animals respectfully ask the Senate for the early passage of bill No. 79.

JOHN Q. BURBRIDGE, President.

J. EVARTS MERRILL, Secretary.

Colonel Jordan, of Madison, was invited within the bar of the Senate.

On motion of Mr. Hind the rules were waived by a two-thirds vote, and

Senate Bill No. 154 :

To be entitled an act to provide for the adoption of children in this State,

Was read the second time, together with the amendments by the Committee, and on motion of Mr. Hind was passed over informally.

On motion of Mr. Hardee the rules were waived by a two-thirds vote, and

Senate Bill No. 147 :

An act to amend section 6 of an act entitled an act to incorporate the Georgia, Florida and Key West Railway Company, approved June 2, 1887,

Was called from the calendar out of its regular order and was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 147,

The vote was :

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Brett, Bryant, Coulter, Dismukes, Dunn, Hammond, Hardee, Hind, Jenkins, Kirk, King, Pirrong, Randell, Swearingen, Tuten and Yancey—19.

Nays—None.

So Senate Bill No. 147 passed, title as stated, and under a further suspension of the rules, by a two thirds vote was ordered to be certified to the House of Representatives at once.

It was so certified.

Mr. Kirk moved to reconsider the vote by which the amendment to Senate Bill No. 173 striking out "six" and inserting "three" was adopted;

Which was agreed to,

And the vote was reconsidered.

House Bill No. 140 :

An act to amend chapter 3746, of Laws of Florida, creating a Railroad Commission, and defining its powers and duties,

Was called from the calendar in its regular order and was read the second time by its title.

On motion of Mr. Randell, House Bill No. 140 remained on its second reading.

House Joint Resolution No. 15 was taken up in its regular order and was read the second time.

Mr. Bielby moved that the resolution lie on the table, subject to call at any time;

Which was agreed to,

And House Joint Resolution No. 15 was laid on the table, subject to call at any time.

Senate Joint Resolution No. 31 :

In relation to an amendment to the Constitution,

Was read the second time.

Mr. Bielby moved that further consideration of Senate Joint Resolution No. 31 be indefinitely postponed;

Which was agreed to,

And Senate Joint Resolution No. 31 was indefinitely postponed.

Senate Joint Resolution No. 32:

Relating to an amendment to the Constitution,
Was read the second time.

Mr. Kirk moved that the further consideration of Senate Joint Resolution No. 32 be indefinitely postponed.

Pending the consideration of which a message was received from the House of Representatives.

A message was received from the Governor.

The motion to indefinitely postpone was withdrawn by Mr. Kirk.

Mr. Bielby renewed the motion to indefinitely postpone the further consideration of Senate Joint Resolution No. 32.

Mr. Kirk offered the following amendment:

Strike out "\$50,000" and insert "\$1,000."

Mr. Kirk moved that the amendment be adopted;

Which was agreed to,

And the amendment was adopted.

Mr. Bielby was called to the chair.

On motion of Mr. Dismukes, the special orders were advanced until Senate Joint Resolution No. 32 could be disposed of.

Mr. Dunn offered the following amendment:

Amend by inserting after the word "enterprises," and before the word "established," the word hereafter;

Which, on motion of Mr. Kirk, was adopted.

The President resumed the chair.

A message was received from the House of Representatives.

The motion to indefinitely postpone was lost,

And Senate Joint Resolution No. 32 was ordered to be engrossed and passed to its third reading.

The special order for the consideration of Mr. Yancey's resolution arrived, and it was read as follows:

Be it resolved, That a committee of three be appointed to report what bills, as the most important ought to be acted upon by the Senate, that the bills reported by said committee be given precedence, notwithstanding any waiver of the standing rules.

Mr. Swearingen offered the following amendment:

Said committee may suggest to the Senate, from day to day, the bills they may think are of the most importance;

Which was read and adopted.

Mr. Randell offered the following amendment:

Insert "five" in place of "three;"
Which was read and adopted.

Mr. King offered the following substitute:

Strike out "three" and insert "thirty-two."

Mr. Kirk moved to lay the substitute on the table;
Which was agreed to,

And the substitute was laid on the table.

Mr. Hind offered the following substitute:

That on and after Thursday next preference be given to the Appropriation, Revenue and House Bill No. 140, and General Election Bill, until same have been finally disposed of, no other business shall be taken up without unanimous consent.

Mr. Kirk moved to lay the substitute on the table;

Which was agreed to,

And the substitute was laid on the table.

The resolution as amended was adopted, and Messrs. Yancey, Randell, Bielby, Bryant and Houstoun were appointed as said committee.

Mr. Hind moved that the Senate adjourn;

Which was not agreed to,

So the motion was lost.

By unanimous consent, Mr. Rosborough, Acting Chairman of the Committee on Engrossed Bills, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, to whom was referred—

Senate Amendments to House Bill No. 31;

Also,

Senate Bill No. 133:

A bill to be entitled an act in relation to mortgages and mortgaged property;

Also,

Senate Bill No. 173:

A bill to be entitled an act to incorporate the Brooksville

and Lacoochee Railroad Company, to confer certain powers therein expressed, and to grant lands to the same;

Also,

Senate Bill No. 93:

A bill to be entitled an act to amend an act entitled an act to provide for and regulate the payment of costs and expenses in certain cases of criminal prosecutions by the State, approved June 7, 1887, chapter 3702, Laws of Florida;

Also,

Senate Bill No. 182:

A bill to be entitled an act making appropriations to the Agricultural College;

Also,

Senate Bill No. 126:

An act to provide a fund for immigration purposes.

Also,

Senate Bill No. 146:

An act making appropriation for the relief of certain members of the Gainesville Guards,

Beg leave to report that they have examined the same and find them to be correctly engrossed.

Very respectfully,

J. A. ROSBOROUGH,

Acting Chairman Committee.

Which was read.

Mr. Jenkins was called to the chair.

The hour for the special consideration of—

Senate Bill No. 201:

To be entitled an act making appropriation to the Seminary west of the Suwannee river,

Arrived and it was read the second time.

Mr. Swearingen offered the following amendment:

Amend by striking out "twenty-five thousand dollars" and insert "ten thousand dollars for the year 1889 and ten thousand dollars for the year 1890."

Mr. Hind offered the following amendment to the amendment:

Strike out "\$25,000" and insert "\$5,000;"

Which was lost.

The question recurred upon Mr. Swearingen's amendment;

Which was adopted, and the bill was ordered to be engrossed for its third reading and made the special order for 5:30 to-morrow evening.

By unanimous consent Mr. Hammond, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889.

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

House Bill No. 64:

A bill to be entitled an act to protect mechanics, artisans, laborers and material men, and to provide for the speedy collection of moneys due them for wages and materials furnished, and to provide for the collection of reasonable attorneys' fees in the enforcement of the liens thereunder,

Have had the same under consideration and recommend that the same do pass, with the following amendments, to wit:

Strike out all of section 8.

At the close of section 9 strike out the words "ten days thereafter," and insert in lieu thereof the following: "to the next regular term of said court. Said attachment suit thereafter to be tried under the rules and modes of practice now regulating the trial of attachment suits in the courts of law of this State; and judgment shall be entered up and execution issue as now provided by law in other attachment cases."

Strike out all of sections 10, 11 and 12.

Make section 9, as amended, section 8.

Make section 13 section 9.

Make section 14 section 10.

Also amend the title by striking out from title the words "and to provide for the collection of reasonable attorneys' fees in the enforcement of the liens thereunder."

Very Respectfully,

E. M. HAMMOND,
Chairman Committee.

Which was read, and

House Bill No. 64:

A bill to be entitled an act to protect mechanics, artisans, laborers and material men, and to provide for speedy collection of moneys due them for wages and materials furnished, and to

provide for the collection of reasonable attorneys' fees in the enforcement of the liens thereunder,

Was made the special order for 5 o'clock this P. M.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

House Bill No. 177:

A bill to be entitled an act for the prevention of cruelty to animals,

Have had the same under consideration, and recommend that it do pass, with the following amendment, to wit.: Add two additional sections, to be known as sections 5 and 6, as follows:

Sec. 5. It shall be the duty of any sheriff, constable or any other peace officer of this State, or any police officer of any city or town of this State, to arrest without warrant any person found violating any of the provisions of the foregoing act, and the officer making the arrest shall hold said offender until a warrant can be procured from the proper officer to issue said warrant for his detention and prosecution under the provisions of this act; and he shall use proper diligence to procure said warrant. Said warrant to be issued upon the affidavit of the person making or causing to be made any such arrest.

Section 6. When a complaint is made to a court or magistrate authorized to issue warrants in criminal cases, that the complainant believes, and has reasonable cause to believe that the laws in relation to cruelty to animals have been or are being violated in any particular building or place, such court or magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant authorizing any sheriff, deputy sheriff, constable or police officer to search such building or place; but no such search shall be made after sunset, unless specially authorized by the magistrate, upon satisfactory cause shown.

Make section 5 of House Bill section 7.

Very respectfully,

E. M. HAMMOND,
Chairman Committee.

Which was read, and the Committee amendments were adopted.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

Senate Bill No. 229:

To be entitled an act authorizing the Librarian of the Supreme Court Library to transmit volumes of the Florida Supreme Court reports to the Librarian of Congress;

Also,

Senate Bill No. 234:

To be entitled an act to amend sections 6, 7 and 8 of an act entitled an act to provide for the more efficient collection of the revenue, approved February 14, 1873, and known as chapter 1935, of the Laws of the State of Florida;

Also,

Senate Bill No. 235:

To be entitled an act to authorize officers and agents of any secret service bureau in cities of 20,000 inhabitants and over, regularly incorporated under the laws of Florida, to serve legal papers,

Have had the same under consideration and recommend that they do pass.

Very respectfully,

E. M. HAMMOND,
Chairman Committee.

Which was read.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

House Bill No. 128:

An act repealing chapter 3727, Laws of Florida, approved June 2, 1887;

Also,

House Bill No. 83:

A bill to be entitled an act to prescribe the fees that the several sheriffs in this State shall be allowed to charge and receive for services rendered in the performance of the duties of their offices,

Have had the same under consideration and recommend that they do pass.

Very respectfully,

E. M. HAMMOND,

Chairman Committee.

Which was read.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

House Bill No. 96:

An act to punish riot in this State,

Have had same under consideration and recommend that it do pass, with the following amendment, to wit:

In section one, numbered line nine (9), after the word "punished," insert the words "by imprisonment."

Very respectfully,

E. M. HAMMOND,

Chairman Committee.

Which was read,

And the committee amendment was adopted.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

House Bill No. 124:

A bill to be entitled an act making it the duty of Grand Jurors to appoint a committee to examine the books, accounts and records of any and all the county officers in the several counties in the State, and to provide for the payment of expenses incurred therein,

Have had the same under consideration, and recommend that the same do pass, with the following amendment, to wit:

In section 1, second page, line 9, after the word "expert" insert "or experts;" and strike out the words "or experts" in line 14 of said section and page.

Very respectfully,

E. M. HAMMOND,

Chairman Committee.

Which was read.

The committee amendments were adopted.

Mr. Dunn moved that the Senate take a recess until 3 o'clock P. M.;

Which was agreed to,

So the Senate took a recess.

THREE O'CLOCK P. M

The Senate resumed its session.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Bailey, of 22d District, Bailey 16th District, Bielby, Bryant, Coulter, Crosby, Dismukes, Dunn, Hendry, Hind, Jenkins, Kirk, Parkhill, Pirrong, Schumacher, Smith, Tuten and Wilkinson—19.

A quorum present.

Mr. Yancey was excused for the afternoon on account of sickness.

The special order was advanced until after the consideration of—

House Bill No. 77:

To continue the rights of the Key of the Gulf Railroad Company;

Which under a suspension of the rules by a two-third vote, Was called from the calendar out of its regular order, and was read the second time.

Mr. Hind offered the following amendment:

Section 2, 30th line, strike out "two years" and insert "one year."

Mr. Hind moved that the amendment be adopted;

Which was not agreed to.

So the amendment was lost.

On motion of Mr. Parkhill, the rules were further waived by a two third vote,

And House Bill No. 77 was read the third time and put upon its passage.

Upon the passage of House Bill No. 77, the vote was:

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Dunn, Hardee, Hendry, Jenkins, Kirk, Parkhill, Pirrong and Swearingen—13.

Nays—Messrs. Dismukes, Hind and Schumacher—3.

So House Bill No. 77 passed, title as stated,

On motion of Mr. Bielby—

House Bill No. 31:

A bill to be entitled an act to regulate the practice of medicine, and to provide for the appointment of a Board of Medical Examiners in the State of Florida,

Was made the special order for 10 A. M. May 22.

SPECIAL ORDERS.

Senate Bill No. 175:

To be entitled an act to regulate the practice of pharmacy and the sale of poisons in cities and towns of more than five hundred inhabitants in the State of Florida,

Was read the second time by its title.

By unanimous consent, Mr. Jenkins introduced—

Senate Bill No. 236:

To be entitled an act for the relief of Doctors H. J. Paramore and W. S. Airth, of Madison county;

Which was read the first time and referred to the Committee on Claims.

Mr. Dunn offered the following amendment:

Amend Senate Bill No. 175 by striking out the word "five," in line 7, section 3, and insert the word "four;" and amend

in same manner throughout the bill where the word "five" before the word "year" occurs.

Which was adopted, and Senate Bill No. 175 was ordered to be engrossed and passed to its third reading.

House Bill No. 207:

A bill to be entitled an act to provide for the reprinting of certain enumerated volumes of Florida Supreme Court Reports, now out of print,

Was read the second time in its regular order on the calendar, and on motion of Mr. Randell it remained on its second reading.

Substitute for Senate Bill No. 63:

To be entitled an act to require railroad companies to construct passenger depots on their lines of roads,

Which was the special order for 3:30 P. M.,

Was informally passed over.

On motion of Mr. Dunn the rules were waived by a two-thirds vote, and

Senate Bill No. 193:

To be entitled an act to provide for and regulate the erection and keeping of stock gates across public roads in the State of Florida,

Was called from the calendar out of its regular order, and was read the second time by its title.

On motion of Mr. Dunn the rules were further waived by a two-thirds vote, and Senate Bill No. 193 was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 193,

The vote was:

Yeas—Mr. President, Messrs. Bailey 16th District, Bryant, Dunn, Hardee, Hind, Jenkins, Kirk, Schumacher and Tuten—10.

Nays—Messrs. Bailey 22d District, Bielby, Coulter, Crosby, Hendry, Pirrong, Randell, Rosborough and Swearingen—9.

So Senate Bill No. 193 passed, title as stated.

At his request, Mr. Hustoun was excused from voting on the passage of Senate Bill No. 193.

Under a further suspension of the rules by a two-thirds vote, Senate Bill No. 193 was certified to the House of Representatives at once.

On motion of Mr. Bailey 22d District the rules were waived by a two-thirds vote, and

House Bill No. 83:

To be entitled an act to prescribe the fees that the several sheriffs in this State shall be allowed to charge and receive for

services rendered in the performance of the duties of their offices,

Was read the second time.

On motion of Mr. Bailey 22d District the rules were further waived by a two-thirds vote, and House Bill No 83

Was read the third time and put upon its passage.

Upon the passage of House Bill No. 83,

The vote was :

Yeas—Mr. President, Messrs. Bailey, 22d District, Bailey 16th District, Bielby, Bryant, Crosby, Dismukes, Drake, Dunn, Hammond, Hendry, Houstoun, Jenkins, Kirk, Parkhill, Pirrong, Rogers, Rosborough, Schumacher, Smith, Swearingen, Tuten and Wilkinson—23.

Nays—Mr. Randell—1.

So House Bill No. 83 passed, title as stated.

By unanimous consent Mr. Wilkinson, Chairman of Committee on Engrossed Bills, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., May 21, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 103 :

An act authorizing the Internal Improvement Board to deed lands to certain public work ;

Also,

Senate Bill No. 209 :

An act entitled an act to amend the charter of the East Florida Trust Company ;

Also,

Senate Bill No. 205 :

A bill to be entitled an act to fix the times for holding the Fall Terms of the Circuit Court for the 6th Circuit,

Beg leave to report that they have examined the same and find them to be correctly engrossed.

Very respectfully,

JOHN WILKINSON,
Chairman Committee.

Which was read.

Senate Bill No. 205 :

To be entitled an act to fix the time for holding the Fall Terms of the Circuit Court for the Sixth Circuit
Was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 205,

The vote was :

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Bryant, Crosby, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rosborough, Schumacher, Smith, Swearingen, Tuten and Wilkinson—23.

Nays—None.

So Senate Bill No. 205 passed, title as stated.

On motion of Mr. Bryant, the rules were waived by a two-thirds vote and

Senate Bill No. 53 :

A bill to be entitled an act to change the boundary lines between the counties of Polk and Lake and define the same,

Was called from the calendar out of its regular order and was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 53,

The vote was .

Yeas —Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Bryant, Crosby, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Swearingen and Tuten—23.

Nays—None.

So Senate Bill No. 53 passed, title as stated.

And under a further suspension of the rules Senate Bill No. 53 was certified to the House of Representatives at once.

On motion of Mr. Dunn, the rules were waived by a two-thirds vote, and

Senate Bill No. 204 :

To be entitled an act to amend section 1, chapter 3724, Laws of Florida, approved June 24, 1887, entitled an act to prescribe the bonds to be given by certain county officers,

Was read the second time by its title.

On motion of Mr. Dunn the rules were further waived by a two-thirds vote, and

Senate Bill No. 204,

Was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 204,

The vote was :

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey
39s

of 16th District, Bielby, Bryant, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Swearingen and Tuten—22.

Nays—None.

So Senate Bill No. 204 passed, title as stated.

Mr. Crosby was excused, at his request, from voting on the passage of Senate Bill No. 204.

On a further suspension of the rules, Senate Bill No. 204 was certified to the House of Representatives at once.

On motion of Mr. Rosborough, the rules were waived by a two-thirds vote, and—

Senate Bill No. 146:

An act making appropriation for the relief of certain members of the Gainesville Guards,

Was called from the calendar out of its regular order and was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 146,

The vote was:

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Bryant, Crosby, Dunn, Hammond, Hardee, Hendry, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith and Tuten—20.

Nays—None.

So Senate Bill No. 146 passed, title as stated,

And under a further suspension of the rules by a two-thirds vote was certified to the House of Representatives at once.

By unanimous consent Mr. Dunn introduced the following resolution:

Resolved, That after to-day, at each calling of the calendars of bills on second and third reading, the roll of Senators be called by districts, and each Senator be allowed upon such call to call up one bill on either of said calendars in order, and that such call of roll be repeated at each of the three daily sessions when practicable.

Mr. Dunn moved that the resolution be adopted;

Which was agreed to and the resolution was adopted.

On motion of Mr. Hammond,

Senate Bill No. 64:

An act to protect mechanics, artisans, laborers and material men, and to provide for the speedy collection of moneys due them for wages and materials furnished, and to provide for the collection of reasonable attorneys' fees in the enforcement of the liens thereunder;

Which had been made the special order for 5 o'clock, was

called from the calendar under a suspension of the rules and was read the second time by its title.

On motion of Mr. Hammond, the rules were further waived by a two-thirds vote, and House Bill No. 64 was read the second time, with the amendments.

The committee amendments were adopted.

Mr. Wall offered the following amendment:

Add another section as follows:

Sec. 11. That the act approved June 3, 1887, being chapter 3747, Laws of Florida, in relation to liens, be and the same is hereby repealed;

Which was adopted,

And House Bill No. 64 was ordered to be engrossed for its third reading.

On motion of Mr. Schumacher, the rules were waived by a two-thirds vote and

Senate Bill No. 235:

A bill to be entitled an act to authorize the officers and agents of any secret service bureau for cities of 20,000 inhabitants and over, regularly incorporated under the Laws of Florida, to serve legal papers,

Was called from the calendar out of its regular order and was read the second time by its title.

On motion of Mr. Schumacher, the rules were further waived by a two thirds vote and Senate Bill No. 235 was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 235,

The vote was:

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Coulter, Crosby, Drake, Dunn, Hammond, Hardee, Hendry, Pirrong, Rogers, Schumacher, Smith, Swearingen and Wilkinson—17.

Nays—None.

So Senate Bill No. 236 passed, title as stated.

And under a further suspension of the rules by a two-thirds vote Senate Bill No. 235 was certified to the House of Representatives at once.

On motion of Mr. Bailey of 22d District,

Senate Bill No. 173:

To be entitled an act to incorporate the Brooksville and Lacoochee Railroad Company, to confer certain powers therein expressed and to grant lands to the same,

Was called from the calendar out of its regular order and was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 173

The vote was:

Yeas—Mr. President, Messrs. Bailey of 22d District, Bielby, Bryant, Crosby, Dismukes, Drake, Dunn, Hardee, Hendry, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rogers, Schumschör, Smith, Swearingen, Tuten and Wilkinson—21.

Nays—Mr. Bailey of 16th District—1.

So Senate Bill No. 173 passed, title as stated, and under a suspension of the rules Senate Bill No. 173 was certified to the House of Representatives at once.

By unanimous consent the secretary was ordered to erase the word "three" and insert the word "six" in lieu thereof in Senate Bill No 173.

Mr. Kirk offered the following resolution:

Resolved, That hereafter all confirmations of officers appointed by the Governor shall be made in open sessions; Which was read.

Mr. Kirk moved that the resolution be adopted.

The yeas and nays were called for, and

The vote was:

Yeas—Messrs. Bailey of 16th District, Bryant, Crosby and Kirk—4.

Nays—Mr. President, Messrs. Bailey 22d District, Bielby, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Jenkins, Parkhill, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Swearingen, Tuten and Wilkinson—20.

So the resolution was lost.

Mr. Dunn moved that the Senate go into Executive Session;

Which was agreed to,

And the Senate went into Executive Session.

The doors were closed.

The doors were opened.

The courtesies of the Senate were extended to Col. Smith, of Fernandina.

Mr. Hammond introduced Senate Bill No. 237:

To be entitled an act in relation to depositions in *rei perpetuam memoriam*;

Which was read the first time by its title.

On motion of Mr. Hammond the rules were further waived by a two-thirds vote, and

Senate Bill No. 237 was read the second time by its title.

On motion of Mr. Hammond the rules were further waived by a two-thirds vote, and

Senate Bill No. 237 was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 237,

The vote was:

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Bryant, Crosby, Dismukes, Dunn, Hammond, Hardee, Hendry, Jenkins, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Swearingen and Tuten—20.

Nays—None.

So Senate Bill No. 237 passed, title as stated,

And under a further suspension of the rules by a two-thirds vote was certified to the House of Representatives at once.

On motion of Mr. Rogers the rules were waived by a two-thirds vote and

Senate Bill No. 182:

To be entitled an act making appropriations to the State Agricultural College,

Was called from the calendar out of its regular order and was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 182,

The vote was:

Yeas—Mr. President, Messrs. Bailey 22d District, Bailey 16th District, Bryant, Crosby, Dismukes, Dunn, Hammond, Hardee, Jenkins, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Swearingen, Tuten and Wilkinson—19.

Nays—None.

So Senate Bill No. 182 passed, titled as stated,

And under a further suspension of the rules was certified to the House of Representatives at once.

Mr. Bielby was called to the chair.

On motion of Mr. Randell the rules were waived by a two-thirds vote, and

House Bill No. 124:

A bill to be entitled an act making it the duty of Grand Jurors to appoint a committee to examine the books, accounts and records of any and all the county officers in the several counties in the State, and to provide for the payment of expenses incurred therein,

Was read the second time with the committee amendments.

The committee amendments were adopted.

Mr. Swearingen moved that the further consideration of Senate Bill No. 124 be indefinitely postponed;

Which was not agreed to.

So the motion was lost.

Mr. Bryant offered the Substitute for Senate Bill No. 124.
Mr. Bryant moved that it be adopted;
Which was agreed to,
And the Substitute was adopted, and was ordered to be engrossed for its third reading.

By unanimous consent Mr. Parkhill introduced—
Senate Joint Resolution No. 238:
To amend section 13 of Article III of the Constitution of the State of Florida;

Which was read the first time.
Mr. Parkhill moved that the rules be waived and that Senate Joint Resolution No. 238 be read the second time.

Mr. Swearingen moved that Senate Joint Resolution No. 238 be referred to Committee on Constitution;

Which was agreed to,
And Senate Joint Resolution No. 238 was so referred.
Mr. Brett moved that the Senate adjourn until 9 o'clock tomorrow morning;
Which was agreed to.
The Senate stood so adjourned.

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WEDNESDAY, MAY 22, 1889.

The Senate met pursuant to adjournment.
The President in the chair.
The roll was called and the following Senators answered to their names:
Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Coulter, Crosby, Dismukes, Hammond, Hardee, Hendry, Hind, Houstoun, Jenkins, Kirk, King, Randell, Rogers, Rosborough, Smith, Swearingen, Tuten, Wilkinson and Yancey—25.

A quorum present.
Prayer by the Chaplain.
Mr. Dismukes moved that the Journal of Saturday be corrected as follows:

Correct the Journal of Saturday, 18th, by inserting after the word "Florida," in the passage of Senate Bill No. 21, "the full text of the bill No. 21;"

Which was agreed to,
And the Journal was so corrected.
Mr. Bryant offered the following resolution:

WHEREAS, The session of the Legislature is drawing fast to a close, and that the duties devolving upon our Reading Clerk is becoming very laborious and really excessive; therefore, be it

Resolved, That the President of the Senate be and is hereby authorized to appoint an Assistant Reading Clerk, to be allowed such compensation as the Legislature may prescribe;

Which was read and adopted.

REPORTS OF COMMITTEES.

Mr. Bielby, Chairman of the Committee on Constitution, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 22, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Constitution, to whom was referred—

Senate Joint Resolution No. 238,
Beg leave to report that they have examined the same and recommend that it do not pass;

Also,
Senate Joint Resolution No. 26,
And recommend that the substitute herewith reported do pass.

Very respectfully,

C. F. A. BIELBY,
Chairman Committee.

Which was read and adopted.
Mr. Yancey, Chairman of the Committee on City and County Organization, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 22, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR—Your Committee on City and County Organization, to whom was referred—

House Bill No. 182,
Beg leave to report that they have had same under consideration, and recommend it do pass.

Very respectfully,

D. H. YANCEY,
Chairman of Committee.

Which was read.